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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF ARIZONA
12 PRESCOTT DIVISION

13 Tony Manzo, *et al.*

14 Plaintiffs,

15 v.

16 Engrained Cabinetry and Countertops,
17 LLC, Inspired Closets of Arizona, LLC,
18 and Thomas Corkery,

19 Defendants.

20 No. 3:22-cv-8081-PCT-JJT

21 **SECOND DECLARATION OF
22 SUZANNE ADAMS**

23 I, Suzanne Adams, do hereby swear, affirm and attest as follows, based upon
24 my personal knowledge of the matters contained herein:

25 1. My name is Suzanne Adams; I am over the age of 18 and duly qualified
26 to execute this declaration.

27 2. I worked for Defendants Engrained Cabinetry and Countertops, LLC,
28 and Thomas Corkery as a sales representative and designer from approximately
29 January 2019 until August 2019 and for Inspired Closets of Arizona, LLC from
30 approximately August 2019 until March 2020.

1 3. As a sales representative and designer, I designed and sold closet and
2 storage solutions for Defendants' customers according to the customer and
3 Defendants' needs and specifications.

4 4. Specifically, I used a computer program to design custom storage
5 solutions for Defendants' customers.

6 5. During the first few months of my employment, I received a salary from
7 Defendants. After the first few months, my sole source of income was commissions
8 on sales.

9 6. My design work for customers took more than 40 hours per week. To
10 run a design from start to finish, I had to physically take measurements of the space I
11 was designing for, interview the customer about their needs and budget, run price
12 points on all materials required, create the physical design, and create a quote for the
13 customer.

14 7. If the customer moved forward, I also supervised the installation process
15 and ensured everything was to customer satisfaction.

16 8. The amount of time this took obviously varied based on the size of the
17 job; some could take as little as 20 hours and some could take several weeks. I ran
18 about 10 jobs at a time.

19 9. Because my income was commission-based, the more sales I made the
20 more income I earned. Defendants didn't ask me not to work after-hours, nor did they
21 require me to track my time.

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10. I generally worked about 40 hours per week on making designs and quotes.

11. Defendants also scheduled me to work regular shifts in the showroom. I worked five 8-hour shifts per week in the showroom.

12. I hardly ever received my full commission. Other than paying back the draw, Defendants deducted portions of my commission for any error I made in the design such as a mismeasurement or an incorrect material.

PURSUANT TO 28 U.S.C. § 1746, I VERIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on this 25th day of October, 2023.


Suzanne Adams